





IN RE: PETITIONS SPECIAL HEARING AND VARIANCES  
S/S of Frederick Road, 540' SW of the centerline of Oella Avenue (2531 Old Frederick Road) - 1st Election District  
Harry E. Reidenbaugh, et ux,  
Petitioners

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 86-349-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a determination as to whether the two lots owned under a single deed are separate and buildable lots and, additionally, variances to permit a side yard setback of 8 feet instead of the required 15 feet for Parcel 1 and a sum of the side yard setbacks of 30 feet instead of the required 40 feet for Parcel 2, as more particularly described on Petitioners' Exhibit 1.

The Petitioners appeared and testified. Mike Burton, a contractor, testified on behalf of the Petitioners. Robert J. and Shirley LeRoy, Contract Purchasers of Parcel 2, also appeared. There were no Protestants.

Testimony indicated that the subject property, located on Old Frederick Road and zoned D.R.2, is described as two lots by separate metes and bounds in the deed recorded among the Land Records of Baltimore County in 1950. The deed indicates that the two lots have been divisible since at least 1912. The Petitioners have lived on Lot 1, which measures 90' x 252' x 43' x 247', since 1950. Lot 2, which measures 60' x 253' x 40' x 252', is unimproved. The Petitioners have received separate tax bills for both lots since their purchase. Now, they can no longer afford to maintain both lots. Mr. and Mrs. LeRoy, long-time friends of the Petitioners, propose to buy Parcel 2 to construct their 24' x 40' home. They would also help to care for Mrs. Reidenbaugh, who is quite ill. The existing house on Parcel 1 will have a

side yard setback of 8 feet to the northeastern property line and the proposed dwelling will have side yard setbacks of 15 feet for a sum of 30 feet.

The Petitioners seek relief from Section 500.7 and from Section 1B02.3.C.1, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

The lots owned by the Petitioners are determined to be severable and each capable of being developed.

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is concluded that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular

parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the approval prayed for and the requested variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12<sup>th</sup> day of March, 1986, that the subject lots are approved as separate and buildable lots and, as such, the Petition for Special Hearing is hereby GRANTED and, additionally, the Petition for Zoning Variances to permit a side yard setback of 8 feet instead of the required 15 feet for Parcel 1 and a sum of the side yard setbacks of 30 feet instead of the required 40 feet for Parcel 2 be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Arnold Jablon  
Zoning Commissioner of  
Baltimore County

cc: Mr. & Mrs. Harry E. Reidenbaugh  
People's Counsel

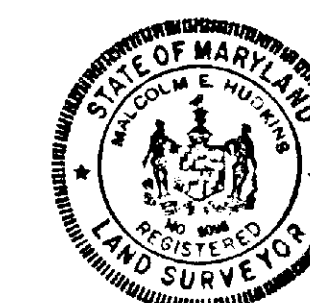
COLUMBIA OFFICE  
WALTER PARK  
Registered Surveyor  
PHONE 750-9060

TOWSON OFFICE  
HUDKINS ASSOCIATES, INC.  
Engineers, Surveyors and  
Landscape Architects  
200 EAST JOPPA ROAD  
ROOM 101, SHELL BUILDING  
TOWSON, MARYLAND 21204  
PHONE: 828-9090  
November 11, 1985

DESCRIPTION FOR VARIANCE TO SIDE YARD LOCATED AT 2531 OLD FREDERICK ROAD, FIRST ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND:

Beginning for the same at a point distant 540 feet more or less measured on the southeast side of Old Frederick Road from the intersection formed by the centerline of Oella Avenue and the southeast side of Old Frederick Road thence South 59 degrees 30 minutes West 60 feet thence South 30 degrees 43 minutes East 252.12 feet thence North 59 degrees 41 minutes East 40 feet thence North 26 degrees 11 minutes West 252.97 feet to the place of beginning.

Containing 12606 square feet.



Malcolm E. Hudkins  
Registered Surveyor #5095

PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCES  
1st Election District

LOCATION: South Side of Frederick Road, 540 feet Southwest of the centerline of Oella Avenue (2531 Old Frederick Road)

DATE AND TIME: Monday, March 10, 1986, at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing to determine whether Parcels 1 and 2 are separate and buildable lots

Petition for Zoning Variances to permit side yard setbacks of 8 feet in lieu of the required 15 feet on Parcel No. 1 and a sum of side yards of 30 feet in lieu of the required 40 feet on Parcel No. 2

Being the property of Harry E. Reidenbaugh, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER  
PETITION FOR VARIANCES  
S/S Frederick Rd., 540' SW of : OF BALTIMORE COUNTY  
C/L of Oella Ave. (2531 Old  
Frederick Rd.), 1st District :  
HARRY A. REIDENBAUGH, et ux, : Case No. 86-349-SPHA  
Petitioners

ENTRY OF APPEARANCE

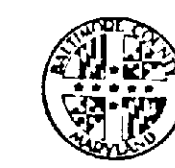
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 25th day of February, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Harry F. Reidenbaugh, 2535 Old Frederick Rd., Baltimore, MD 21228, Petitioners; and Mr. and Mrs. Robert J. LeRoy, 1125 DeLong Rd., Apt. D, Baltimore, MD 21218, Contract Purchasers.

Peter Max Zimmerman  
Peter Max Zimmerman



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

March 5, 1986

Mr. Harry E. Reidenbaugh  
Mrs. Nellie V. Reidenbaugh  
2535 Old Frederick Road  
Baltimore, Maryland 21228

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCES  
S/S Frederick Rd., 540' SW of the c/l of Oella Ave.  
(2531 Old Frederick Rd.)  
1st Election District  
Harry E. Reidenbaugh, et ux - Petitioners  
Case No. 86-349-SPHA

Dear Mr. and Mrs. Reidenbaugh:

This is to advise you that \$59.55 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until:

Please make it to Zoning Office, 121204, before the

Sincerely,

Arnold Jablon  
Arnold Jablon  
Zoning Commissioner

AJ:md

OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 018532  
DATE 3/11/86 ACCOUNT 86-349-SPHA  
AMOUNT \$ 59.55  
RECEIVED FROM Harry E. Reidenbaugh et ux  
FOR Advertising & Posting 86-349-SPHA  
VALIDATION OR SIGNATURE OF CASHIER

April 14, 1986

Mr. & Mrs. Harry E. Reidenbaugh Refund of Miscellaneous Cash Receipt \$ 59.55  
2535 Old Frederick Road No. 018461 (Overpayment)  
Baltimore, Maryland 21228 Case No. 86-349-SPHA  
Harry E. Reidenbaugh, et ux, Petitioners

6 R-01-615-000 \$ 59.55 32

BALTIMORE COUNTY, MARYLAND No. 018461  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE 3-11-86 ACCOUNT R-01-615-000  
AMOUNT \$ 59.55  
RECEIVED FROM Harry E. Reidenbaugh et ux  
FOR Refund of Cash Receipt 86-349-SPHA  
VALIDATION OR SIGNATURE OF CASHIER

Zoning Office

Arnold Jablon, Zoning Commissioner April 14, 1986



Office of  
**PATUXENT**  
PUBLISHING CORP.  
10750 Little Patuxent Pkwy  
Columbia, MD 21044

February 20 19 86

THIS IS TO CERTIFY, that the annexed advertisement of  
  
SPECIAL HEARING

was inserted in the following:  
[X]Catonsville Times  
[X]Arbutus Times  
weekly newspapers published in Baltimore County, Maryland  
once a week for One successive weeks before  
the 22 day of February 19 86, that is to say,  
the same was inserted in the issues of

February 20, 1986

PATUXENT PUBLISHING CORP.  
By *[Signature]*

Mr. Harry E. Reidenbaugh  
Mrs. Nellie V. Reidenbaugh  
2535 Old Frederick Road  
Baltimore, Maryland 21228

February 7, 1986

**NOTICE OF HEARING**

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCES  
S/S Frederick Rd., 540' SW of the c/l of Oella Ave.  
(2531 Old Frederick Rd.)  
1st Election District  
Harry E. Reidenbaugh, et ux - Petitioners  
Case No. 86-349-SPHA

TIME: 10:30 a.m.  
DATE: Monday, March 10, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake  
Avenue, Towson, Maryland

*[Signature]*  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 012891

DATE 11/21/85 ACCOUNT 86-349-SPHA

AMOUNT \$ 75

RECEIVED - *[Signature]*  
FROM *[Signature]*

FOR *[Signature]*

VALIDATION OR SIGNATURE OF CASHIER

his wife, of Baltimore County in the State of Maryland, of the first part, and Harry E. Reidenbaugh and Nellie V. Reidenbaugh, his wife, of the second part.

Witnesseth, that in consideration of the sum of Five (\$5.00) Dollars and other valuable considerations the said William E. Burton and Minnie W. Burton, his wife, do grant and convey unto the said Harry E. Reidenbaugh and Nellie V. Reidenbaugh, his wife, as tenants by the entirety, their heirs and assigns, in fee simple, all those lots of ground, situate, lying and being in Baltimore County, aforesaid, and described as follows, that is to say:-

Beginning for the first at an iron pipe driven in the ground on the southeast side of Old Frederick Road in the third line of the parcel of land described in the deed from Herman Kratz and wife to Ira M. Sutton and wife dated November 19, 1920 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 531, folio 366 etc. and running thence binding on the southeast side of Old Frederick Road as now surveyed north 59 degrees 30 minutes east 90 feet to another iron pipe now driven in the ground thence leaving said road and running for line of division as now surveyed south 3 degrees 43 minutes east 252.12 feet to another iron pipe now driven in the ground at the end of the fourth line of the above mentioned parcel of ground described in said deed from Herman Kratz and wife to Ira M. Sutton and wife thence binding on said line reversely as now surveyed south 71 degrees 28 minutes west 42.01 feet to the fence post at the end of the third line of said parcel of land and thence binding on said third line reversely and along the division fence along said line as now surveyed north 42 degrees 2 minutes west 246.75 feet to the place of beginning. Containing 16122 square feet of land more or less.

Beginning for the second at an iron pipe heretofore driven in the ground on the southeast side of Old Frederick Road at the distance of 90 feet northeasterly from the intersection of said southeast side of Old Frederick Road with the third line of the tract of land described in the deed from Herman Kratz and wife to Ira M. Sutton and wife dated November 19, 1920 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 531, folio 366 etc. said place of beginning being at the end of the first line of the parcel of land described in the deed from Ira M. Sutton and wife to Monroe B. Dell and wife dated June 23, 1941 and recorded among the said Land Records in Liber C.H.K. No. 1179 folio 15 etc. and running thence binding on the second line of said last mentioned parcel of land south 30 degrees 43 minutes east 252.12 feet to another iron pipe heretofore driven in the ground at the end of said line and at the end of the fourth line of the tract of land described in the heretofore mentioned deed from Herman Kratz and wife to Ira M. Sutton and wife thence for line of division binding on a line drawn from said last mentioned point northeasterly to a pipe driven in the ground at the fence corner at the end of the second line of the parcel of land described in the deed from Amelia K. Koenig to Ernest H. Truth and wife dated December 2,

1912 and recorded among the Land Records in Liber W.P.C. No. 404 folio 309 etc. as said line is now surveyed north 59 degrees 43 minutes east 40 feet to an iron pipe now driven in the ground thence still for line of division north 26 degrees 11 minutes west 252.97 feet to another iron pipe now driven in the ground on the southeast side of Old Frederick Road at a point 60 feet northeasterly from the place of beginning said point being distant 183.27 feet southwesterly from the Wild Cherry Tree standing on the southeast side of Old Frederick Road at the beginning of said second line of the parcel of land described in the above mentioned deed from Amelia K. Koenig to Ernest H. Truth and wife and thence binding on the southeast side of Old Frederick Road south 59 degrees 30 minutes west 60 feet to the place of beginning. Containing 12606 square feet of land more or less. These two lots of ground being known as No. 2535 Old Frederick Road.

Being the same two lots of ground described in a Deed dated November 26, 1948 and recorded among the Land Records of Baltimore County in Liber T.B.S. 1713 folio 353 which was granted and conveyed by Monroe B. Dell and Mary Alice Dell, his wife, to the herein grantors.

Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Harry E. Reidenbaugh and Nellie V. Reidenbaugh, his wife, as tenants by the entirety, the survivor of them and the heirs and assigns of the survivor, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted and that they will execute such further assurances of the same as may be requisite.

Witness the hands and seals of said grantors.

TEST:	William E. Burton	(SEAL)
Lillian K. Horner	William E. Burton	
Lillian K. Horner	Minnie W. Burton	(SEAL)
	Minnie W. Burton	

STATE OF MARYLAND, City of Baltimore, to wit:  
I HEREBY CERTIFY, That on this 28th day of March in the year one thousand nine hundred and fifty, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City aforesaid, personally appeared William E. Burton and Minnie W. Burton, his wife, the above named grantors, and they acknowledged the foregoing Deed to be their act.

As Witness my hand and Notarial Seal.  
(NOTARIAL SEAL) Lillian K. Horner  
Lillian K. Horner Notary Public.  
Recorded Apr 18 1950 at 10:40 AM & order T Braden Silcott Clerk - Red EHM  
Ed By A H & V

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

Arnold Jablon  
To: Zoning Commissioner  
Norman E. Gerber, AICP, Director  
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-349-SPHA, 86-350-A, 86-351-XA, 86-354-XSPH,  
86-355-A, 86-356-A, 86-357-A, and 86-358-A

There are no comprehensive planning factors requiring comment on these petitions.

*[Signature]*  
Norman E. Gerber, AICP  
Director

NEG:JGR:slm

**BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**

February 14, 1986

COUNTY OFFICE Bldg.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Mr. and Mrs. Harry E. Reidenbaugh  
2535 Old Frederick Road  
Baltimore, Maryland 21228

RE: Item No. 211 - Case No. 86-349-SPHA  
Petitioners - Harry E. Reidenbaugh, et ux  
Special Hearing and Variance Petition

Dear Mr. and Mrs. Reidenbaugh:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,  
*[Signature]*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:nr

Enclosures

cc: Hudkins Associates, Inc.  
200 East Joppa Road  
Room 101, Shell Building  
Towson, Maryland 21204



BALTIMORE COUNTY  
DEPARTMENT OF TRAFFIC ENGINEERING  
TOWSON, MARYLAND 21204  
494-3550

STEPHEN E. COLLINS  
DIRECTOR

January 7, 1986

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. -ZAC- Meeting of December 10, 1985  
Property Owner:  
Location:  
Existing Zoning:  
Proposed Zoning:

Acres:  
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 208, 209, 210, 211, 212, 214, 215, 218, 219, 220, and 221.

*[Signature]*  
Michael S. Flanigan  
Traffic Engineering Associate II

MSF/bld

3/10  
86-349-SPHA



BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204-2586  
694-4300

PAUL H. RENCKE  
CHIEF

December 17, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Harry E. Reidenbaugh, et ux

Location: S/S Frederick Road, 540' SW of centerline of Oella Avenue  
Item No.: 211 Zoning Agenda: Meeting of December 10, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or        feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at       

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/mb











IN RE: PETITIONS SPECIAL HEARING AND VARIANCES  
S/S of Frederick Road, 540' SW of the centerline of Oella Avenue (2531 Old Frederick Road) - 1st Election District  
Harry E. Reidenbaugh, et ux,  
Petitioners

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 86-349-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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The Petitioners appeared and testified. Mike Burton, a contractor, testified on behalf of the Petitioners. Robert J. and Shirley LeRoy, Contract Purchasers of Parcel 2, also appeared. There were no Protestants.

Testimony indicated that the subject property, located on Old Frederick Road and zoned D.R.2, is described as two lots by separate metes and bounds in the deed recorded among the Land Records of Baltimore County in 1950. The deed indicates that the two lots have been divisible since at least 1912. The Petitioners have lived on Lot 1, which measures 90' x 252' x 43' x 247', since 1950. Lot 2, which measures 60' x 253' x 40' x 252', is unimproved. The Petitioners have received separate tax bills for both lots since their purchase. Now, they can no longer afford to maintain both lots. Mr. and Mrs. LeRoy, long-time friends of the Petitioners, propose to buy Parcel 2 to construct their 24' x 40' home. They would also help to care for Mrs. Reidenbaugh, who is quite ill. The existing house on Parcel 1 will have a

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The Petitioners seek relief from Section 500.7 and from Section 1B02.3.C.1, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

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1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
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It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is concluded that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular

parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the approval prayed for and the requested variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12<sup>th</sup> day of March, 1986, that the subject lots are approved as separate and buildable lots and, as such, the Petition for Special Hearing is hereby GRANTED and, additionally, the Petition for Zoning Variances to permit a side yard setback of 8 feet instead of the required 15 feet for Parcel 1 and a sum of the side yard setbacks of 30 feet instead of the required 40 feet for Parcel 2 be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Arnold Jablon  
Zoning Commissioner of  
Baltimore County

cc: Mr. & Mrs. Harry E. Reidenbaugh  
People's Counsel

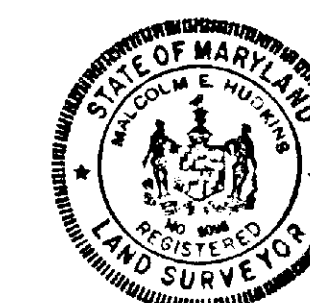
COLUMBIA OFFICE  
WALTER PARK  
Registered Surveyor  
PHONE 750-9060

TOWSON OFFICE  
HUDKINS ASSOCIATES, INC.  
Engineers, Surveyors and  
Landscape Architects  
200 EAST JOPPA ROAD  
ROOM 101, SHELL BUILDING  
TOWSON, MARYLAND 21204  
PHONE: 828-9090  
November 11, 1985

DESCRIPTION FOR VARIANCE TO SIDE YARD LOCATED AT 2531 OLD FREDERICK ROAD, FIRST ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND:

Beginning for the same at a point distant 540 feet more or less measured on the southeast side of Old Frederick Road from the intersection formed by the centerline of Oella Avenue and the southeast side of Old Frederick Road thence South 59 degrees 30 minutes West 60 feet thence South 30 degrees 43 minutes East 252.12 feet thence North 59 degrees 41 minutes East 40 feet thence North 26 degrees 11 minutes West 252.97 feet to the place of beginning.

Containing 12606 square feet.



Malcolm E. Hudkins  
Registered Surveyor #5095

PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCES  
1st Election District

LOCATION: South Side of Frederick Road, 540 feet Southwest of the centerline of Oella Avenue (2531 Old Frederick Road)

DATE AND TIME: Monday, March 10, 1986, at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing to determine whether Parcels 1 and 2 are separate and buildable lots

Petition for Zoning Variances to permit side yard setbacks of 8 feet in lieu of the required 15 feet on Parcel No. 1 and a sum of side yards of 30 feet in lieu of the required 40 feet on Parcel No. 2

Being the property of Harry E. Reidenbaugh, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER  
PETITION FOR VARIANCES  
S/S Frederick Rd., 540' SW of : OF BALTIMORE COUNTY  
C/L of Oella Ave. (2531 Old  
Frederick Rd.), 1st District :  
HARRY A. REIDENBAUGH, et ux, : Case No. 86-349-SPHA  
Petitioners

ENTRY OF APPEARANCE

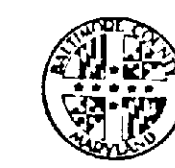
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 25th day of February, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Harry F. Reidenbaugh, 2535 Old Frederick Rd., Baltimore, MD 21228, Petitioners; and Mr. and Mrs. Robert J. LeRoy, 1125 DeLong Rd., Apt. D, Baltimore, MD 21218, Contract Purchasers.

Peter Max Zimmerman  
Peter Max Zimmerman



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

March 5, 1986

Mr. Harry E. Reidenbaugh  
Mrs. Nellie V. Reidenbaugh  
2535 Old Frederick Road  
Baltimore, Maryland 21228

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCES  
S/S Frederick Rd., 540' SW of the c/l of Oella Ave.  
(2531 Old Frederick Rd.)  
1st Election District  
Harry E. Reidenbaugh, et ux - Petitioners  
Case No. 86-349-SPHA

Dear Mr. and Mrs. Reidenbaugh:

This is to advise you that \$59.55 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until:

Please make to Zoning Office, 121204, before the

Sincerely,

Arnold Jablon  
Arnold Jablon  
Zoning Commissioner

AJ:md

OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 018532  
DATE 3/11/86 ACCOUNT 86-349-SPHA  
AMOUNT \$ 59.55  
RECEIVED FROM Harry E. Reidenbaugh et ux  
FOR Advertising & Posting 86-349-SPHA  
VALIDATION OR SIGNATURE OF CASHIER

April 14, 1986

Mr. & Mrs. Harry E. Reidenbaugh Refund of Miscellaneous Cash Receipt \$ 59.55  
2535 Old Frederick Road No. 018461 (Overpayment)  
Baltimore, Maryland 21228 Case No. 86-349-SPHA  
Harry E. Reidenbaugh, et ux, Petitioners

6 R-01-615-000 \$ 59.55 32

BALTIMORE COUNTY, MARYLAND No. 018461  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE 3-11-86 ACCOUNT R-01-615-000  
AMOUNT \$ 59.55  
RECEIVED FROM Harry E. Reidenbaugh et ux  
FOR Refund of Miscellaneous Cash Receipt 86-349-SPHA  
VALIDATION OR SIGNATURE OF CASHIER

Zoning Office

Arnold Jablon, Zoning Commissioner April 14, 1986



Office of  
**PATUXENT**  
PUBLISHING CORP.  
10750 Little Patuxent Pkwy  
Columbia, MD 21044

February 20 19 86

THIS IS TO CERTIFY, that the annexed advertisement of

SPECIAL HEARING

was inserted in the following:

Arbutus Times  
Arbutus Times

weekly newspapers published in Baltimore County, Maryland  
once a week for one successive weeks before  
the 22 day of February 19 86, that is to say,  
the same was inserted in the issues of

February 20, 1986

PATUXENT PUBLISHING CORP.  
By *[Signature]*

Mr. Harry E. Reidenbaugh  
Mrs. Nellie V. Reidenbaugh  
2535 Old Frederick Road  
Baltimore, Maryland 21228

February 7, 1986

**NOTICE OF HEARING**

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCES  
S/S Frederick Rd., 540' SW of the c/l of Oella Ave.  
(2531 Old Frederick Rd.)  
1st Election District  
Harry E. Reidenbaugh, et ux - Petitioners  
Case No. 86-349-SPHA

TIME: 10:30 a.m.

DATE: Monday, March 10, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake  
Avenue, Towson, Maryland

*[Signature]*  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 012891

DATE 11/21/85 ACCOUNT 201-215-21

AMOUNT \$ 75

RECEIVED - *[Signature]* *[Signature]*

FOR: *[Signature]* *[Signature]*

VALIDATION OR SIGNATURE OF CASHIER

his wife, of Baltimore County in the State of Maryland, of the first part, and Harry E. Reidenbaugh and Nellie V. Reidenbaugh, his wife, of the second part.

Witnesseth, that in consideration of the sum of Five (\$5.00) Dollars and other valuable considerations the said William E. Burton and Minnie W. Burton, his wife, do grant and convey unto the said Harry E. Reidenbaugh and Nellie V. Reidenbaugh, his wife, as tenants by the entirety, their heirs and assigns, in fee simple, all those lots of ground, situate, lying and being in Baltimore County, aforesaid, and described as follows, that is to say:-

Beginning for the first at an iron pipe driven in the ground on the southeast side of Old Frederick Road in the third line of the parcel of land described in the deed from Herman Kratz and wife to Ira M. Sutton and wife dated November 19, 1920 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 531, folio 366 etc. and running thence binding on the southeast side of Old Frederick Road as now surveyed north 59 degrees 30 minutes east 90 feet to another iron pipe now driven in the ground thence leaving said road and running for line of division as now surveyed south 3 degrees 43 minutes east 252.12 feet to another iron pipe now driven in the ground at the end of the fourth line of the above mentioned parcel of ground described in said deed from Herman Kratz and wife to Ira M. Sutton and wife thence binding on said line reversely as now surveyed south 71 degrees 28 minutes west 42.01 feet to the fence post at the end of the third line of said parcel of land and thence binding on said third line reversely and along the division fence along said line as now surveyed north 42 degrees 2 minutes west 246.75 feet to the place of beginning. Containing 16122 square feet of land more or less.

Beginning for the second at an iron pipe heretofore driven in the ground on the southeast side of Old Frederick Road at the distance of 90 feet northeasterly from the intersection of said southeast side of Old Frederick Road with the third line of the tract of land described in the deed from Herman Kratz and wife to Ira M. Sutton and wife dated November 19, 1920 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 531, folio 366 etc. said place of beginning being at the end of the first line of the parcel of land described in the deed from Ira M. Sutton and wife to Monroe B. Dell and wife dated June 23, 1941 and recorded among the said Land Records in Liber C.H.K. No. 1179 folio 15 etc. and running thence binding on the second line of said last mentioned parcel of land south 30 degrees 43 minutes east 252.12 feet to another iron pipe heretofore driven in the ground at the end of said line and at the end of the fourth line of the tract of land described in the heretofore mentioned deed from Herman Kratz and wife to Ira M. Sutton and wife thence for line of division binding on a line drawn from said last mentioned point northeasterly to a pipe driven in the ground at the fence corner at the end of the second line of the parcel of land described in the deed from Amelia K. Koenig to Ernest H. Truth and wife dated December 2,

1912 and recorded among the Land Records in Liber W.P.C. No. 404 folio 309 etc. as said line is now surveyed north 59 degrees 43 minutes east 40 feet to an iron pipe now driven in the ground thence still for line of division north 26 degrees 11 minutes west 252.97 feet to another iron pipe now driven in the ground on the southeast side of Old Frederick Road at a point 60 feet northeasterly from the place of beginning said point being distant 183.27 feet southwesterly from the Wild Cherry Tree standing on the southeast side of Old Frederick Road at the beginning of said second line of the parcel of land described in the above mentioned deed from Amelia K. Koenig to Ernest H. Truth and wife and thence binding on the southeast side of Old Frederick Road south 59 degrees 30 minutes west 60 feet to the place of beginning. Containing 12606 square feet of land more or less. These two lots of ground being known as No. 2535 Old Frederick Road.

Being the same two lots of ground described in a Deed dated November 26, 1948 and recorded among the Land Records of Baltimore County in Liber T.B.S. 1713 folio 353 which was granted and conveyed by Monroe B. Dell and Mary Alice Dell, his wife, to the herein grantors.

Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Harry E. Reidenbaugh and Nellie V. Reidenbaugh, his wife, as tenants by the entirety, the survivor of them and the heirs and assigns of the survivor, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted and that they will execute such further assurances of the same as may be requisite.

Witness the hands and seals of said grantors.

TEST: William E. Burton (SEAL)  
Lillian K. Horner William E. Burton  
Lillian K. Horner Minnie W. Burton (SEAL)  
Minnie W. Burton

STATE OF MARYLAND, City of Baltimore, to wit:

I HEREBY CERTIFY, That on this 28th day of March in the year one thousand nine hundred and fifty, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City aforesaid, personally appeared William E. Burton and Minnie W. Burton, his wife, the above named grantors, and they acknowledged the foregoing Deed to be their act.

As Witness my hand and Notarial Seal.

(NOTARIAL SEAL) Lillian K. Horner  
Lillian K. Horner Notary Public.

Recorded Apr 18 1950 at 10:40 AM & order T Braden Silcott Clerk - Red ERM  
Ed By A H & V

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

Arnold Jablon  
To: Zoning Commissioner Date: February 14, 1986  
Norman E. Gerber, AICP, Director  
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-349-SPHA, 86-350-A, 86-351-XA, 86-354-XSPH,  
86-355-A, 86-356-A, 86-357-A, and 86-358-A

There are no comprehensive planning factors requiring comment on these petitions.

*[Signature]*  
Norman E. Gerber, AICP  
Director

NEG:JGR:slm

**BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**

February 14, 1986

COUNTY OFFICE Bldg.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Mr. and Mrs. Harry E. Reidenbaugh  
2535 Old Frederick Road  
Baltimore, Maryland 21228

RE: Item No. 211 - Case No. 86-349-SPHA  
Petitioners - Harry E. Reidenbaugh, et ux  
Special Hearing and Variance Petition

Dear Mr. and Mrs. Reidenbaugh:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,  
*[Signature]*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:nr

Enclosures

cc: Hudkins Associates, Inc.  
200 East Joppa Road  
Room 101, Shell Building  
Towson, Maryland 21204

BALTIMORE COUNTY  
DEPARTMENT OF TRAFFIC ENGINEERING  
TOWSON, MARYLAND 21204  
494-3550

STEPHEN E. COLLINS  
DIRECTOR

January 7, 1986

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. -ZAC- Meeting of December 10, 1985  
Property Owner:  
Location:  
Existing Zoning:  
Proposed Zoning:

Acres:  
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 208, 209, 210, 211, 212, 214, 215, 218, 219, 220, and 221.

*[Signature]*  
Michael S. Flanigan  
Traffic Engineering Associate II

MSF/bld

3/10  
86-349-SPH

BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204-2586  
694-4300

PAUL H. RENCKE  
CHIEF

December 17, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Comodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Harry E. Reidenbaugh, et ux

Location: S/S Frederick Road, 540' SW of centerline of Oella Avenue

Item No.: 211

Zoning Agenda: Meeting of December 10, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

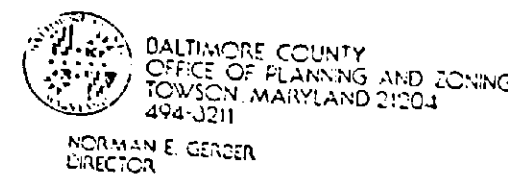
( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/mb





Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

FEBRUARY 13, 1986

Re: Zoning Advisory Meeting of DECEMBER 10, 1985  
Item # 211  
Property Owner: HARRY E. REIDENBAUGH, et ux  
Location: S/S Frederick Road, 540' SW of  
E of Oella Avenue

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ Forward by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract, to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-39 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on \_\_\_\_\_.
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual, Bill 158-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is \_\_\_\_\_.
- ☒ The property is located in a traffic area controlling by a "T" level intersection as defined by Bill 175-79, and its conditions change are reviewed and issued annually by the County Council.
- ☒ Additional comments: \_\_\_\_\_

cc: James Howell

Eugene A. Sober  
Chief, Current Planning and Development

MICROFILMED



BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3610

December 27, 1985

TED ZALESKI, JR.  
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner

Office of Planning and Zoning

Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 211 Zoning Advisory Committee Meeting are as follows:

Property Owner: Harry E. Reidenbaugh, et ux  
Location: S/S Frederick Road, 540' SW of c/l of Oella Avenue  
District: 1st.

APPLICABLE ITEMS ARE CIRCLED

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.I. #117-1 - 1980) and other applicable Code and Standards.
- ☒ A building and other miscellaneous permits shall be required before the start of any construction.
- ☒ Residential: The area of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer shall not be required on plans and technical data.
- ☒ Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Approved plans are not acceptable.
- ☒ All Use Groups except Sub Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. For Use Groups require a one hour wall if closer than 5'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 602, Section 1007, Section 1008.2 and Table 1007. No openings are permitted in an exterior wall within 5'-0" of an interior lot line.
- ☒ The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 602 and 505 and have your Architect/Engineer contact this department.
- ☒ The requested variance appears to conflict with Section(s) \_\_\_\_\_ of the Baltimore County Building Code.
- ☒ When filing for a required change of the Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of the Use Group are from the \_\_\_\_\_ to the \_\_\_\_\_ or to Mixed Use \_\_\_\_\_.
- ☒ The proposed project appears to be located in a Flood Plain, Tidal/Waterline. Please see the attached copy of Section 216.2 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

Comments:

E. C. B. NATIONAL, INC.  
Building Plans Review

Case No. 86-349-SPHA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
4th day of February, 1986.

ARNOLD JABLON  
Zoning Commissioner

Petitioner Harry E. Reidenbaugh, et ux Received by: James E. Howell  
Chairman, Zoning/Plans  
Advisory Committee

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

86-347-SPHA

District: 1st Date of Posting: 2-24-86  
Posted for: Special Hearing and Variance  
Petitioner: Harry E. Reidenbaugh, et ux  
Location of Property: S/S Old Frederick Road, 540' SW of the  
c/l of Oella Ave. (2531 Old Frederick Road)  
Location of Sign: In front of subject property, 2531 Old Frederick Road  
Remarks: \_\_\_\_\_  
Posted by: [Signature] Date of return: 2-28-86  
Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 20, 1986

THIS IS TO CERTIFY, that the annexed advertisement was  
published in THE JEFFERSONIAN, a weekly newspaper printed  
and published in Towson, Baltimore County, Md., appearing on  
February 20, 1986

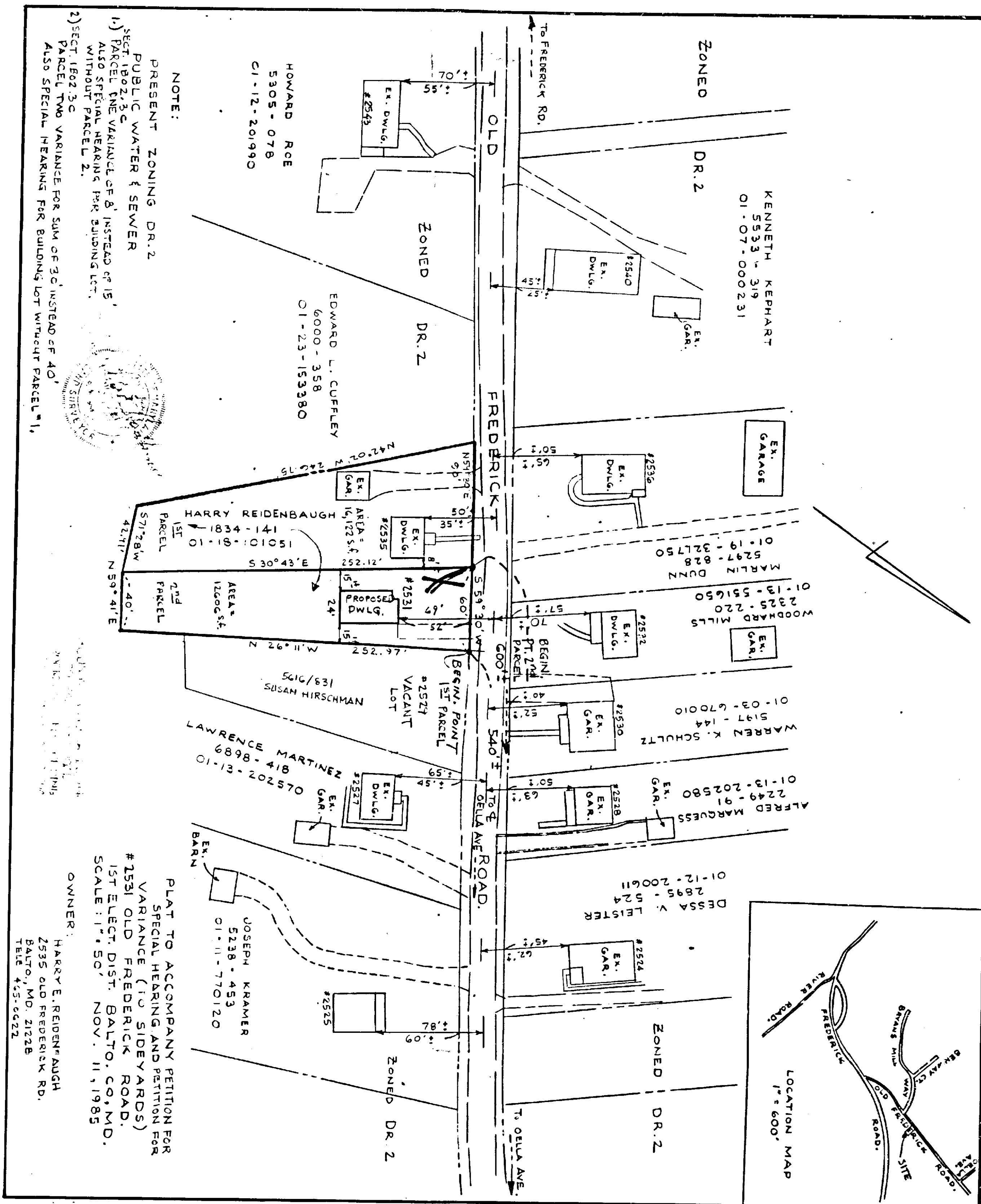
THE JEFFERSONIAN,

18 Kentish  
Publisher

Cost of Advertising  
27.53

86-349-SPHA

PETITIONS FOR SPECIAL  
HEARING AND ZONING  
VARIANCES  
1st Election District  
LOCATION: South Side of Frederick  
Road, 540' SW of the intersection of  
Oella Avenue (2531 Old  
Frederick Road)  
DATE AND TIME: Monday, March  
10, 1986, at 10:00 a.m.  
PUBLIC HEARING: Room 106,  
County Office Building, 111 W.  
Chesapeake Avenue, Towson,  
Maryland  
The Zoning Commissioner of Baltimore  
County, by authority of the Zoning  
Act and Regulations of Baltimore  
County, will hold a public hearing  
on the petition for special hearing and  
variance for the proposed use of the  
subject property as a single family  
detached dwelling, and will receive  
and consider all evidence and testimony  
presented at the hearing.  
Persons desiring to present evidence  
and testimony at the hearing should  
appear at the hearing on the date  
specified above, and should be ready  
to present their evidence and testimony  
at the hearing on the date specified  
above.  
By Order:  
ARNOLD JABLON  
Zoning Commissioner  
of Baltimore County  
Feb. 20, 1986





# 86-349-5811 211 PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Harry E. Reidenbaugh and Nellie V. Reidenbaugh, legal owners of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the land described in our deed as recorded 1834/141 dated April 18, 1950 as parcel 1 and parcel 2 are buildable lots separate of one another. We live on lot parcel and have to sell parcel 2 which we receive separate tax bills for and cannot afford the tax increase on parcel 2. Prior seller purchased as two lots back in November 26, 1948.

Property is to be posted and advertised as prescribed by Zoning Regulations.  
I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Robert J. & Shirley M. LeRoy Contract Purchaser  
Address: 1125 Delong Road Apt. D.  
Baltimore, Maryland 21228

Harry E. Reidenbaugh Legal Owner  
Address: 2535 Old Frederick Road  
Baltimore, Maryland 21228

Robert J. & Shirley M. LeRoy Petitioner's Attorney  
Address: \_\_\_\_\_

Harry E. Reidenbaugh Protestant's Attorney  
Address: \_\_\_\_\_

ORDERED By the Zoning Commissioner of Baltimore County, this 4th day of February, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of March, 1986, at 10:30 o'clock A. M.

Carl J. Johnson  
Zoning Commissioner of Baltimore County

(over)

# 86-349-5811 211 PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.6.1 to permit side yard setbacks of 8 feet instead of the required 15 feet on 1st parcel and a sum of side yards of 30 feet instead of the required 40 feet on the 2nd parcel.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. Taxes raised for unsaleable lot
2. Petitioners living on fixed income
3. Health and age make up keep of lot difficult

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
Robert J. & Shirley M. LeRoy  
(Type or Print Name)  
Robert J. & Shirley M. LeRoy  
Signature  
Address: 1125 Delong Rd. Apt. D.  
City and State: Baltimore, Md. 21228

Legal Owner(s):  
Harry E. Reidenbaugh  
(Type or Print Name)  
Harry E. Reidenbaugh  
Signature  
Address: 2535 Old Frederick Rd. 445-2422  
City and State: Baltimore, Md. 21228

Nellie V. Reidenbaugh  
(Type or Print Name)  
Nellie V. Reidenbaugh  
Signature  
Address: \_\_\_\_\_  
City and State: \_\_\_\_\_

Attorney for Petitioner:  
(Type or Print Name)  
Signature  
Address: \_\_\_\_\_  
City and State: \_\_\_\_\_

Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City and State: \_\_\_\_\_  
Phone No.: \_\_\_\_\_

Attorney's Telephone No.: \_\_\_\_\_

ORDERED By The Zoning Commissioner of Baltimore County, this 4th day of February, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of March, 1986, at 10:30 o'clock A. M.

Carl J. Johnson  
Zoning Commissioner of Baltimore County

SEE SIMPLE DEED-CODE-City or County

# 86-349-5811 211 This Deed, Made this

in the year one thousand nine hundred and eighty-six, by and between  
Harry E. Reidenbaugh and Nellie V. Reidenbaugh, his wife

of Baltimore County in the State of Maryland, of the first part, and  
Harry E. Reidenbaugh and Nellie V. Reidenbaugh, his wife

of the second part.

Witnesseth, That for no consideration between them

the said parties of the first part

do grant and convey unto the said parties of the second part, as tenants by the entireties, their Personal Representatives,

heirs and assigns, in fee simple, all that lot of ground, situate, lying and being in State of Maryland, County of Baltimore, aforesaid, and described as follows, that is to say:-

Beginning for the first at an iron pipe driven in the ground on the southeast side of Old Frederick Road in the third line of the parcel of land described in the Deed from Herman Kratz and wife to Ira M. Sutton and wife, dated November 19, 1920 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 531, folio 366 etc., and running thence ginding on the southeast side of Old Frederick Road as now surveyed north 59 degrees 30 minutes east 90 feet to another iron pipe now driven in the ground thence leaving said road and running to: line of division as now surveyed south 30 degrees 43 minutes east 252.12 feet to another iron pipe now driven in the ground at the end of the fourth line of the above mentioned parcel of ground described in said Deed from Herman Kratz and wife to Ira M. Sutton and wife thence ginding on said line reversely as now surveyed south 71 degrees 28 minutes west 42.91 feet to the fence post at the end of the third line of said parcel of land and thence binding on said third line reversely and along the division fence along said line as now surveyed north 42 degrees 2 minutes west 246.75 feet to the place of beginning, containing 16122 square feet of land more or less.

Being the same parcel of real property firstly described in a Deed dated March 28, 1950 recorded in the Land Records of Baltimore County in Liber 1834 folio 141 from William E. Burton and Minnie W. Burton unto the Grantors herein.

SEE SIMPLE DEED-CODE-City or County

# 86-349-5811 211 This Deed, Made this

in the year one thousand nine hundred and eighty-six, by and between  
Harry E. Reidenbaugh and Nellie V. Reidenbaugh, his wife

of Baltimore County in the State of Maryland, of the first part, and

Harry E. Reidenbaugh and Nellie V. Reidenbaugh, his wife,

of the second part.

Witnesseth, That for no consideration between them

the said parties of the first part

do grant and convey unto the said parties of the second part, as tenants by the entireties, their Personal Representatives

heirs and assigns, in fee simple, all that lot of ground, situate, lying and being in State of Maryland, County of Baltimore, aforesaid, and described as follows, that is to say:-

Beginning for the second at an iron pipe heretofore driven in the ground on the southeast side of Old Frederick Road at the distance of 90 feet northeasterly from the intersection of said southeast side of Old Frederick Road with the third line of the tract of land described in the deed from Herman Kratz and wife to Ira M. Sutton and wife dated November 19, 1920 and recorded among the Land Records of Baltimore County in Liber W. P. C. No. 531, folio 366 etc., said place of beginning being at the end of the first line of the parcel of land described in the deed from Ira M. Sutton and wife to Maurice B. Dell and wife dated June 23, 1941 and recorded among the said Land Records in Liber C.H.K. No. 1179 folio 15 etc., and running thence binding on the second line of said last mentioned parcel of land south 30 degrees 43 minutes east 252.12 feet to another iron pipe heretofore driven in the ground at the end of said line and at the end of the fourth line of the tract of land described in the hereinbefore mentioned deed from Herman Kratz and wife to Ira M. Sutton and wife thence for line of division binding on a line drawn from said last mentioned point northeasterly to a pipe driven in the ground at the fence corner at the end of the second line of the parcel of land described in the deed from Amelia K. Koenig to Ernest H. Treuth and wife dated December 2, 1912 and recorded among the Land Records in Liber W.P.C. No. 404 folio 309, etc., as said line is now surveyed north 59 degrees 41 minutes east 40 feet to an iron pipe now driven in the ground thence still for line of division north 26 degrees 11 minutes west 252.97 feet to another iron pipe now driven in the ground on the southeast side of Old Frederick Road at a point 60 feet northeasterly from the place of beginning said point being distant 183.25 feet southwesterly from the Wild Cherry Tree standing on the southeast side of Old Frederick Road at the beginning of said second line of the parcel of land described in the above mentioned deed from Amelia K. Koenig to Ernest H. Treuth and wife and thence binding on the southeast side of Old Frederick Road south 59 degrees 30 minutes west 60 feet to the place of beginning. Containing 12666 square feet of land more or less.

Being the same parcel of real property secondly described in a Deed dated March 28, 1950 recorded in the Land Records of Baltimore County in Liber 1834 folio 141 from William E. Burton and Minnie W. Burton unto the Grantors herein.

Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said

Harry E. Reidenbaugh and Nellie V. Reidenbaugh, his wife as tenants by the entireties, their Personal Representatives,

heirs and assigns, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted and the they will execute such further assurances of the same as may be requisite.

Witness the hand<sup>s</sup> and seal<sup>s</sup> of said grantor

TEST:

Harry E. Reidenbaugh (SEAL)  
Harry E. Reidenbaugh  
Nellie V. Reidenbaugh (SEAL)  
Nellie V. Reidenbaugh

STATE OF MARYLAND, County of Baltimore, to wit:

I HEREBY CERTIFY, That on this

in the year one thousand nine hundred and eighty-six, before me, the subscriber,

a Notary Public of the State of Maryland, in and for Baltimore County aforesaid,

personally appeared Harry E. Reidenbaugh and Nellie V. Reidenbaugh

the above named grantor<sup>s</sup> and they acknowledged the foregoing Deed to be their act.

As Witness my hand and Notarial Seal.

Robert J. LeRoy  
Notary Public.  
Comm. Expires July 1, 1986

Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said

Harry E. Reidenbaugh and Nellie V. Reidenbaugh, his wife as tenants by the entireties, their Personal Representatives

heirs and assigns, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted and the they will execute such further assurances of the same as may be requisite.

Witness the hand<sup>s</sup> and seal<sup>s</sup> of said grantors

TEST:

Harry E. Reidenbaugh (SEAL)  
Harry E. Reidenbaugh  
Nellie V. Reidenbaugh (SEAL)  
Nellie V. Reidenbaugh

STATE OF MARYLAND, to wit:

I HEREBY CERTIFY, That on this

in the year one thousand nine hundred and eighty-six, before me, the subscriber,

a Notary Public of the State of Maryland, in and for County of Baltimore aforesaid,

personally appeared Harry E. Reidenbaugh and Nellie V. Reidenbaugh

the above named grantor<sup>s</sup> and they acknowledged the foregoing Deed to be their act.

As Witness my hand and Notarial Seal.

Robert J. LeRoy  
Notary Public.  
Comm. Expires July 1, 1986

DEED

FROM

Harry E. Reidenbaugh  
and  
Nellie V. Reidenbaugh  
TO

Harry E. Reidenbaugh  
and  
Nellie V. Reidenbaugh

BLOCK NO. \_\_\_\_\_

Received for Record \_\_\_\_\_ 19\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M. Same day recorded

in Liber \_\_\_\_\_ No. \_\_\_\_\_ Folio \_\_\_\_\_, etc.,

one of the Land Records of \_\_\_\_\_

and examined per \_\_\_\_\_ Clerk.

Cost of Record, \$ \_\_\_\_\_

Mail to: Gerald W. Vale, Esquire  
220 Dorsy Avenue  
Towson, MD 21204

LOCAL BOOK, INC., BALTIMORE 2, MD. FORM 422

DEED

FROM

Harry E. Reidenbaugh  
and  
Nellie V. Reidenbaugh  
TO

Harry E. Reidenbaugh  
and  
Nellie V. Reidenbaugh

BLOCK NO. \_\_\_\_\_

Received for Record \_\_\_\_\_ 19\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M. Same day recorded

in Liber \_\_\_\_\_ No. \_\_\_\_\_ Folio \_\_\_\_\_, etc.,

one of the Land Records of \_\_\_\_\_

and examined per \_\_\_\_\_ Clerk.

Cost of Record, \$ \_\_\_\_\_

Mail to: Gerald W. Vale, Esquire  
220 Dorsy Avenue  
Towson, MD 21204

LOCAL BOOK, INC., BALTIMORE 2, MD. FORM 422



IN RE: PETITIONS SPECIAL HEARING AND VARIANCES  
S/S of Frederick Road, 540' SW of the centerline of Oella Avenue (2531 Old Frederick Road) - 1st Election District  
Harry E. Reidenbaugh, et ux,  
Petitioners

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 86-349-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a determination as to whether the two lots owned under a single deed are separate and buildable lots and, additionally, variances to permit a side yard setback of 8 feet instead of the required 15 feet for Parcel 1 and a sum of the side yard setbacks of 30 feet instead of the required 40 feet for Parcel 2, as more particularly described on Petitioners' Exhibit 1.

The Petitioners appeared and testified. Mike Burton, a contractor, testified on behalf of the Petitioners. Robert J. and Shirley LeRoy, Contract Purchasers of Parcel 2, also appeared. There were no Protestants.

Testimony indicated that the subject property, located on Old Frederick Road and zoned D.R.2, is described as two lots by separate metes and bounds in the deed recorded among the Land Records of Baltimore County in 1950. The deed indicates that the two lots have been divisible since at least 1912. The Petitioners have lived on Lot 1, which measures 90' x 252' x 43' x 247', since 1950. Lot 2, which measures 60' x 253' x 40' x 252', is unimproved. The Petitioners have received separate tax bills for both lots since their purchase. Now, they can no longer afford to maintain both lots. Mr. and Mrs. LeRoy, long-time friends of the Petitioners, propose to buy Parcel 2 to construct their 24' x 40' home. They would also help to care for Mrs. Reidenbaugh, who is quite ill. The existing house on Parcel 1 will have a

side yard setback of 8 feet to the northeastern property line and the proposed dwelling will have side yard setbacks of 15 feet for a sum of 30 feet.

The Petitioners seek relief from Section 500.7 and from Section 1B02.3.C.1, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

The lots owned by the Petitioners are determined to be severable and each capable of being developed.

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is found that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular

parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the approval prayed for and the requested variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12<sup>th</sup> day of March, 1986, that the subject lots are approved as separate and buildable lots and, as such, the Petition for Special Hearing is hereby GRANTED and, additionally, the Petition for Zoning Variances to permit a side yard setback of 8 feet instead of the required 15 feet for Parcel 1 and a sum of the side yard setbacks of 30 feet instead of the required 40 feet for Parcel 2 be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Arnold Jablon  
Zoning Commissioner of  
Baltimore County

cc: Mr. & Mrs. Harry E. Reidenbaugh  
People's Counsel

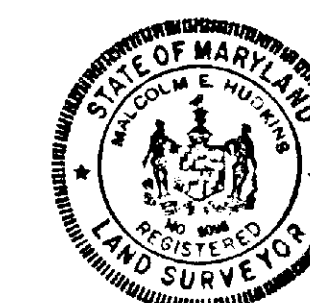
COLUMBIA OFFICE  
WALTER PARK  
Registered Surveyor  
PHONE 750-9060

TOWSON OFFICE  
HUDKINS ASSOCIATES, INC.  
Engineers, Surveyors and  
Landscape Architects  
200 EAST JOPPA ROAD  
ROOM 101, SHELL BUILDING  
TOWSON, MARYLAND 21204  
PHONE: 828-9090  
November 11, 1985

DESCRIPTION FOR VARIANCE TO SIDE YARD LOCATED AT 2531 OLD FREDERICK ROAD, FIRST ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND:

Beginning for the same at a point distant 540 feet more or less measured on the southeast side of Old Frederick Road from the intersection formed by the centerline of Oella Avenue and the southeast side of Old Frederick Road thence South 59 degrees 30 minutes West 60 feet thence South 30 degrees 43 minutes East 252.12 feet thence North 59 degrees 41 minutes East 40 feet thence North 26 degrees 11 minutes West 252.97 feet to the place of beginning.

Containing 12606 square feet.



Malcolm E. Hudkins  
Registered Surveyor #5095

PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCES

1st Election District

LOCATION: South Side of Frederick Road, 540 feet Southwest of the centerline of Oella Avenue (2531 Old Frederick Road)

DATE AND TIME: Monday, March 10, 1986, at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing to determine whether Parcels 1 and 2 are separate and buildable lots

Petition for Zoning Variances to permit side yard setbacks of 8 feet in lieu of the required 15 feet on Parcel No. 1 and a sum of side yards of 30 feet in lieu of the required 40 feet on Parcel No. 2

Being the property of Harry E. Reidenbaugh, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER  
PETITION FOR VARIANCES  
S/S Frederick Rd., 540' SW of : OF BALTIMORE COUNTY  
C/L of Oella Ave. (2531 Old  
Frederick Rd.), 1st District :  
HARRY A. REIDENBAUGH, et ux, : Case No. 86-349-SPHA  
Petitioners

ENTRY OF APPEARANCE

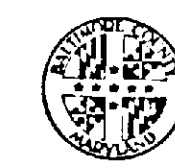
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 25th day of February, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Harry F. Reidenbaugh, 2535 Old Frederick Rd., Baltimore, MD 21228, Petitioners; and Mr. and Mrs. Robert J. LeRoy, 1125 DeLong Rd., Apt. D, Baltimore, MD 21218, Contract Purchasers.

Peter Max Zimmerman  
Peter Max Zimmerman



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

March 5, 1986

Mr. Harry E. Reidenbaugh  
Mrs. Nellie V. Reidenbaugh  
2535 Old Frederick Road  
Baltimore, Maryland 21228

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCES  
S/S Frederick Rd., 540' SW of the c/l of Oella Ave.  
(2531 Old Frederick Rd.)  
1st Election District  
Harry E. Reidenbaugh, et ux - Petitioners  
Case No. 86-349-SPHA

Dear Mr. and Mrs. Reidenbaugh:

This is to advise you that \$59.55 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until:

Please make to Zoning Office, 121204, before the

Sincerely,

Arnold Jablon  
Arnold Jablon  
Zoning Commissioner

AJ:md

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 018532

DATE 3/11/86 ACCOUNT 86-349-SPHA

AMOUNT \$ 59.55

RECEIVED FROM Harry E. Reidenbaugh, et ux

FOR Advertising & Posting

86-349-SPHA

86-349-SPHA

86-349-SPHA

86-349-SPHA

86-349-SPHA

86-349-SPHA

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86-349-SPHA

Mr. & Mrs. Harry E. Reidenbaugh  
2535 Old Frederick Road  
Baltimore, Maryland 21228

Refund of Miscellaneous Cash Receipt \$ 59.55  
No. 018461 (Overpayment)  
Case No. 86-349-SPHA  
Harry E. Reidenbaugh, et ux, Petitioners

6 R-01-615-000 \$ 59.55 32

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 018461

DATE 3-11-86 ACCOUNT R-01-615-000

AMOUNT \$ 59.55

RECEIVED FROM Harry E. Reidenbaugh, et ux

FOR Advertising & Posting

86-349-SPHA

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86-349-SPHA

Zoning Office

Arnold Jablon  
Arnold Jablon, Zoning Commissioner April 14, 1986



Office of  
**PATUXENT**  
PUBLISHING CORP.  
10750 Little Patuxent Pkwy  
Columbia, MD 21044

February 20 19 86

THIS IS TO CERTIFY, that the annexed advertisement of  
  
SPECIAL HEARING

was inserted in the following:  
[X]Catonsville Times  
[X]Arbutus Times  
weekly newspapers published in Baltimore County, Maryland  
once a week for One successive weeks before  
the 22 day of February 19 86, that is to say,  
the same was inserted in the issues of

February 20, 1986

PATUXENT PUBLISHING CORP.  
By *[Signature]*

Mr. Harry E. Reidenbaugh  
Mrs. Nellie V. Reidenbaugh  
2535 Old Frederick Road  
Baltimore, Maryland 21228

February 7, 1986

**NOTICE OF HEARING**

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCES  
S/S Frederick Rd., 540' SW of the c/l of Oella Ave.  
(2531 Old Frederick Rd.)  
1st Election District  
Harry E. Reidenbaugh, et ux - Petitioners  
Case No. 86-349-SPHA

TIME: 10:30 a.m.  
DATE: Monday, March 10, 1986  
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

*[Signature]*  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. **012891**  
DATE 11/21/85 ACCOUNT 201-615-01  
AMOUNT \$ 75  
RECEIVED - Modula Home Concepts Inc  
FROM Shirley B. Reidenbaugh  
FOR Shirley B. Reidenbaugh  
VALIDATION OR SIGNATURE OF CASHIER

his wife, of Baltimore County in the State of Maryland, of the first part, and Harry E. Reidenbaugh and Nellie V. Reidenbaugh, his wife, of the second part.

Witnesseth, that in consideration of the sum of Five (\$5.00) Dollars and other valuable considerations the said William E. Burton and Minnie W. Burton, his wife, do grant and convey unto the said Harry E. Reidenbaugh and Nellie V. Reidenbaugh, his wife, as tenants by the entirety, their heirs and assigns, in fee simple, all those lots of ground, situate, lying and being in Baltimore County, aforesaid, and described as follows, that is to say:-

Beginning for the first at an iron pipe driven in the ground on the southeast side of Old Frederick Road in the third line of the parcel of land described in the deed from Herman Kratz and wife to Ira M. Sutton and wife dated November 19, 1920 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 531, folio 366 etc. and running thence binding on the southeast side of Old Frederick Road as now surveyed north 59 degrees 30 minutes east 90 feet to another iron pipe now driven in the ground thence leaving said road and running for line of division as now surveyed south 3 degrees 43 minutes east 252.12 feet to another iron pipe now driven in the ground at the end of the fourth line of the above mentioned parcel of ground described in said deed from Herman Kratz and wife to Ira M. Sutton and wife thence binding on said line reversely as now surveyed south 71 degrees 28 minutes west 42.01 feet to the fence post at the end of the third line of said parcel of land and thence binding on said third line reversely and along the division fence along said line as now surveyed north 42 degrees 2 minutes west 246.75 feet to the place of beginning. Containing 16122 square feet of land more or less.

Beginning for the second at an iron pipe heretofore driven in the ground on the southeast side of Old Frederick Road at the distance of 90 feet northeasterly from the intersection of said southeast side of Old Frederick Road with the third line of the tract of land described in the deed from Herman Kratz and wife to Ira M. Sutton and wife dated November 19, 1920 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 531, folio 366 etc. said place of beginning being at the end of the first line of the parcel of land described in the deed from Ira M. Sutton and wife to Monroe B. Dell and wife dated June 23, 1941 and recorded among the said Land Records in Liber C.H.K. No. 1179 folio 15 etc. and running thence binding on the second line of said last mentioned parcel of land south 30 degrees 43 minutes east 252.12 feet to another iron pipe heretofore driven in the ground at the end of said line and at the end of the fourth line of the tract of land described in the heretofore mentioned deed from Herman Kratz and wife to Ira M. Sutton and wife thence for line of division binding on a line drawn from said last mentioned point northeasterly to a pipe driven in the ground at the fence corner at the end of the second line of the parcel of land described in the deed from Amelia K. Koenig to Ernest H. Truth and wife dated December 2,

1912 and recorded among the Land Records in Liber W.P.C. No. 404 folio 309 etc. as said line is now surveyed north 59 degrees 43 minutes east 40 feet to an iron pipe now driven in the ground thence still for line of division north 26 degrees 11 minutes west 252.97 feet to another iron pipe now driven in the ground on the southeast side of Old Frederick Road at a point 60 feet northeasterly from the place of beginning said point being distant 183.27 feet southwesterly from the Wild Cherry Tree standing on the southeast side of Old Frederick Road at the beginning of said second line of the parcel of land described in the above mentioned deed from Amelia K. Koenig to Ernest H. Truth and wife and thence binding on the southeast side of Old Frederick Road south 59 degrees 30 minutes west 60 feet to the place of beginning. Containing 12606 square feet of land more or less. These two lots of ground being known as No. 2535 Old Frederick Road.

Being the same two lots of ground described in a Deed dated November 26, 1948 and recorded among the Land Records of Baltimore County in Liber T.B.S. 1713 folio 353 which was granted and conveyed by Monroe B. Dell and Mary Alice Dell, his wife, to the herein grantors.

Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Harry E. Reidenbaugh and Nellie V. Reidenbaugh, his wife, as tenants by the entirety, the survivor of them and the heirs and assigns of the survivor, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted and that they will execute such further assurances of the same as may be requisite.

Witness the hands and seals of said grantors.  
TEST: William E. Burton (SEAL)  
Lillian K. Horner William E. Burton  
Lillian K. Horner Minnie W. Burton (SEAL)  
Minnie W. Burton

STATE OF MARYLAND, City of Baltimore, to wit:  
I HEREBY CERTIFY, That on this 28th day of March in the year one thousand nine hundred and fifty, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City aforesaid, personally appeared William E. Burton and Minnie W. Burton, his wife, the above named grantors, and they acknowledged the foregoing Deed to be their act.

As Witness my hand and Notarial Seal.  
(NOTARIAL SEAL) Lillian K. Horner  
Lillian K. Horner Notary Public.  
Recorded Apr 18 1950 at 10:40 AM & order T Braden Silcott Clerk - Red EHM  
Ed By A H & V

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

Arnold Jablon  
To: Zoning Commissioner Date: February 14, 1986  
Norman E. Gerber, AICP, Director  
FROM: Office of Planning and Zoning  
SUBJECT: Zoning Petitions No. 86-349-SPHA, 86-350-A, 86-351-XA, 86-354-XSPH,  
86-355-A, 86-356-A, 86-357-A, and 86-358-A

There are no comprehensive planning factors requiring comment on these petitions.

*[Signature]*  
Norman E. Gerber, AICP  
Director

NEG:JGR:slm

**BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**

February 14, 1986

COUNTY OFFICE Bldg.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Mr. and Mrs. Harry E. Reidenbaugh  
2535 Old Frederick Road  
Baltimore, Maryland 21228

RE: Item No. 211 - Case No. 86-349-SPHA  
Petitioners - Harry E. Reidenbaugh, et ux  
Special Hearing and Variance Petition

Dear Mr. and Mrs. Reidenbaugh:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,  
*[Signature]*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:nr

Enclosures

cc: Hudkins Associates, Inc.  
200 East Joppa Road  
Room 101, Shell Building  
Towson, Maryland 21204



BALTIMORE COUNTY  
DEPARTMENT OF TRAFFIC ENGINEERING  
TOWSON, MARYLAND 21204  
494-3550

STEPHEN E. COLLINS  
DIRECTOR

January 7, 1986

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. -ZAC- Meeting of December 10, 1985  
Property Owner:  
Location:  
Existing Zoning:  
Proposed Zoning:

Acres:  
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 208, 209, 210, 211, 212, 214, 215, 218, 219, 220, and 221.

*[Signature]*  
Michael S. Flanigan  
Traffic Engineering Associate II

MSF/bld

3/10  
86-349-SPH



BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204-2586  
694-4300

December 17, 1985

PAUL H. RENCKE  
CHIEF

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Harry E. Reidenbaugh, et ux

Location: S/S Frederick Road, 540' SW of centerline of Oella Avenue

Item No.: 211

Zoning Agenda: Meeting of December 10, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/mb



